

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

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|-------------------------------------|---|------------------------------------|
| United States of America, |) | Civil Action No. 3:19-cv-02312-JMC |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| \$19,000 in United States Currency, |) | |
| |) | |
| Defendant, <i>In Rem</i> . |) | |
| _____ |) | |

The matter before the court is Plaintiff United States of America's Motion for Default Judgment pursuant to Fed. R. Civ. P. 55(b). (ECF No. 11.) On August 6, 2019, Plaintiff filed a Complaint for Forfeiture *In Rem* under 21 U.S.C. § 881(a)(6) (2002) and 18 U.S.C. §§ 981(a)(1)(A), (a)(1)(C) (2016) regarding \$19,000.00 in United States currency. (ECF No. 1.) The \$19,000.00 at issue has been seized by the City of Columbia Police Department and turned over to the Drug Enforcement Administration for forfeiture. The Complaint alleges that the money was:

(1) furnished or intended to be furnished in exchange for a controlled substance, in violation of the Controlled Substances Act; proceeds traceable to such an exchange; or money used and intended to be used to facilitate a violation of the Controlled Substances Act; (2) property involved in, or traceable to, money laundering transactions or attempted transactions in violation of 18 U.S.C. §§ 1956(a)(1)(A)(I), 1956(a)(1)(B)(I) and/or 1956(h); (3) property involved in, or traceable to, an illegal money transmitting business, in violation of 18 U.S.C. § 1960; and/or (4) property which is proceeds of, or traceable to, some other form of specified unlawful activity set forth in 18 U.S.C. § 1956(c)(7).

(ECF No. 1 at 1-2.)

The record shows that (1) the Notice of Forfeiture and the Complaint have been served upon the known potential claimants, Eric Washington, Jordan McKay, Esquire, Darnell Jefferson, and William Jefferson; (2) that the known potential claimants are not actively serving the armed forces of the United States, and are not infants or incompetent persons; (3) that publication has

been lawfully made in this matter; that lawful notice was given to all potential claimants to the Defendant Currency, known and unknown, either through direct notice or by publication; (4) that no claims, answers, or other pleadings have been filed in response to such notice; (5) that no extensions to the applicable time limits have been requested, consented to, or granted by the court; (6) and, that the clerk has entered default, pursuant to Fed. R. Civ. P. 55(a). Accordingly, the court finds and concludes as follows: that process was lawfully executed in this action and returned according to law; that the \$19,000.00 at issue was lawfully arrested pursuant to the warrant of arrest in rem, pursuant to Fed. R. Civ. P. Supp. G(3); that the known potential claimants, have received direct notice of this action pursuant to Fed. R. Civ. P. Supp. G(4)(b); that the known potential claimants have failed to file a Claim, Answer, or other responsive pleading in this action, as required by Fed. R. Civ. P. Supp. G(5); that the known potential claimants are not actively serving in the armed forces of the United States, and are not infants or incompetent persons; that no other person or entity has filed a Claim, Answer, or other responsive pleading within the time fixed by law; and that the allegations of the Complaint are taken as admitted.

Consequently, the court **GRANTS** Plaintiff's Motion for Default Judgment (ECF No. 11) and **ORDERS** that (1) all persons claiming any right, title or interest in or to the \$19,000.00 are hereby held in default, and any right, title, or interest in the \$19,000.00 on the part of any claimants or third parties are extinguished and forever barred; (2) default judgment shall be entered by the Clerk of Court against the \$19,000.00, and in favor of the United States; and that, pursuant to 21 U.S.C. 881(a)(6), and 18 U.S.C. 981(a)(1)(A), (a)(1)(C), the \$19,000.00 is hereby forfeited, condemned, quit-claimed and abandoned to the United States of America; (3) clear title in and to the \$19,000.00 is vested in the United States of America, and no other right, title or interest exists

therein and all other claims to the \$19,000.00 are hereby forever foreclosed and barred; and (4) the \$19,000.00 forfeited herein shall be disposed of by the United States, as authorized by law.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

January 14, 2020
Columbia, South Carolina